Exhibit A to the Declaration of David H. Kramer

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FILED
MAY 27 2005
KIRI TORRE
Chief Executive Officer
Superior Court of CA County of Santa Clara
By ________ Deputy

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA

AFFINITY ENGINES, INC., Plaintiffs, v. GOOGLE, INC., et al. Defendants.	Case No. 1-04-CV-020368 ORDER

The motions by defendant Google, Inc., to compel further responses to its First Set of Requests for Admission and to stay depositions and quash deposition notices and for a protective order, and the motions by plaintiff Affinity Engines, Inc., to compel responses to its Third Sets of Requests for Production and Special Interrogatories, to appoint a discovery referee, and to file documents under seal came on for hearing before the Honorable William J. Elfving on May 27, 2005, at 10:00 a.m. in Department 2. The matter having been submitted, the court orders as follows:

1) Defendant's motion to compel further responses to Requests for Admission Nos. 2-24, and 27-28 is GRANTED. As to those Requests for Admission, plaintiff shall provide code-compliant supplemental responses, without further objection. Defendant's motion to compel further responses to Requests for Admission Nos. 25-26 is DENIED.

2) Plaintiff's motion to compel further responses to Requests for Production Nos. 43 and 53-55 and Special Interrogatory No. 7 is DENIED.

3) Plaintiff's motion for the appointment of the Hon. Read Ambler as discovery referee is GRANTED. Plaintiff shall pay one-half the cost and defendants shall pay one-half the cost of the referee's services.

4) Defendant's motion to quash the deposition subpoenas for Larry Page and Sergey Brin is DENIED. Defendant's motion for a protective order limiting the deposition to one or the other of Page and Brin is DENIED. Defendant's motion for protective order, requiring defendant to take the depositions of Marissa Meyer, Orkut Buyukkokten, and Google's PMK take place before the depositions of Page and Brin is GRANTED. Defendant's motion for protective order limiting the deposition of Page and Brin to the issues of (1) ownership of the software at issue; (2) defendant's hiring of Buyukkokten; and (3) defendant's decision to convert Buyukkokten's prototype software, which plaintiff claims it owned, is GRANTED.

5) Plaintiff's motion to file under seal unredacted versions of (1) its opposition to defendant's motion to compel further responses to its first set of Requests for Admission and (2) its opposition to defendant's motion to compel further responses to Requests for Production and Special Interrogatories is GRANTED.

6) Plaintiff's motion to file under seal the unredacted version of plaintiff's opposition to defendant's motion to stay depositions and quash deposition notices and for protective order and

the supporting declarations of Attorney O'Rourke and Tyler Ziemann, with their attached exhibits, is GRANTED.

7) Defendant's motion to file under seal the unredacted version of defendant's Reply in the motion to compel further responses to RFAs and Reply in the motion to stay depositions and quash deposition notices and for protective order is GRANTED. The motion as to Exhibit A to the declaration of Attorney Volkmer Declaration is DENIED.

8) Plaintiff's motion to file under seal the unredacted version of Exhibit 1 to the Declaration of Attorney Ramsey in support of plaintiff's Reply in the motion to compel further RFP and SI responses is GRANTED.

Date: 5/27/05

William J. Elfving
Judge of the Superior Court

IN THE SUPERIOR COURT OF CALIFORNIA **IN AND FOR THE COUNTY OF SANTA CLARA**	**FILED** Date: 5/27/05 KIRI TORRE Chief Executive Officer Clerk Superior Court of CA County of Santa Clara By: ____ K. Palmer, Deputy
Plaintiff: AFFINITY ENGINES, INC.	
Defendant: GOOGLE, INC.	
PROOF OF SERVICE BY MAIL OF: ORDER (filed 5-27-05)	**Case Number:** 1-04-CV020368

CLERK'S CERTIFICATE OF SERVICE: I certify that I am not a party to this case and that a true copy of this document was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below and the document was mailed at SAN JOSE, CALIFORNIA on : May 27, 2005

Kiri Torre, Chief Executive Officer/Clerk

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